

**HOUSE . . . . . No. 2968**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

**Antonio F.D. Cabral**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to price adjustment.

PETITION OF:

NAME:

Antonio F.D. Cabral

DISTRICT/ADDRESS:

13th Bristol

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO PRICE ADJUSTMENT.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Section 39O of chapter 30, as appearing in the 2006 Official Edition, is hereby amended by  
2 adding the following paragraph at the end thereof:

3 Notwithstanding any general or special law to the contrary, contract,s awarded as a result of proposals or  
4 invitation for bids issued under sections 38A½ to 38O, inclusive, of chapter 7; section 11C of chapter  
5 25A; section 39M of this chapter; and sections 44A to 44H, inclusive, of chapter 149, exceeding  
6 \$100,000 shall include a price adjustment clause for each of the following: fuel, both diesel and gasoline,  
7 asphalt, concrete and steel. A base price for each material shall be set by the awarding authority or  
8 agency and included in the bid documents at the time a project is advertised. The awarding authority or  
9 agency shall also identify in the bid documents the price index to be used for each material or  
10 supply. The adjustment clause shall provide for a contract adjustment to be made on a monthly basis  
11 when the monthly cost change exceeds +/- 5 per cent.